

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

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4 THE ESTATE OF PABLO GARCIA TORIBIO,
5 ET AL.,

6 Plaintiffs,

7 vs.

8 CITY OF SANTA ROSA, ET AL.,

9 Defendants.

CASE NO. [18-cv-02151-YGR](#)

ORDER STRIKING PLAINTIFF'S RESPONSIVE
SEPARATE STATEMENT AND SEPARATE
STATEMENT OF ADDITIONAL MATERIAL
FACTS

10 The Court **STRIKES** Plaintiffs' filings at Docket Nos. 66 and 67. The Court's Standing Order
11 provides, in pertinent part:

12 2. **Responsive Separate Statement:** The papers opposing a motion for summary
13 judgment shall include *one* Responsive Separate Statement which: (1) incorporates
14 the facts in the moving separate statement; (2) provides a response to each of the
15 facts in the correspondingly numbered paragraph in the moving separate statement;
16 and (3) identifies any *additional* material facts that the party contends will establish
17 a genuine issue to be tried. This Responsive Separate Statement shall indicate as to
each fact whether the party contends the fact is "disputed" or "undisputed." If the
opposing party contends that the fact is in dispute, the party must cite to evidence in
the record which establishes the dispute.

18 3. **Page Limits for Separate Statements:** Unless a party has obtained prior
19 permission from this Court, the Supporting Separate Statement is limited to no more
20 than fifteen (15) pages, and the Responsive Separate Statement is limited to no more
than five (5) additional pages beyond the number of pages in the opening statement.

21 4. **Attestation Required for Separate Statements:** The Supporting and Responsive
22 Separate Statement each **must be signed** by counsel (or by the party, if
unrepresented by counsel) who has reviewed the document and can attest as follows:
23 *"I attest that the evidence cited herein fairly and accurately supports [or disputes]
the facts as asserted."*

24 Standing Order In Civil Cases ¶ 9(c)(2)-(4). Plaintiffs here filed a 15-page response to defendant's
25 separate statement (Dkt. No. 66) as well as a separate document with 8 pages of additional facts
26 (Dkt. No. 67). Further, the separate document stating additional facts did not include the required
27 attestation.
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Plaintiffs shall refile a responsive separate statement in compliance with the Court’s Standing Order no later than **February 6, 2019**. Plaintiffs are cautioned that future violations of the Court’s Standing Orders may result in the imposition of sanctions.

IT IS SO ORDERED.

Dated: February 4, 2019


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE